

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	CHAPTER 7 PROCEEDING
)	
DANIEL OLSWANG,)	CASE NO. 23-05433
)	
DEBTOR.)	HON. A. BENJAMIN GOLDGAR

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **Friday, August 25, 2023 at 11:00 a.m.**, I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in that judge's place, **either** in courtroom 642 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604 **or** electronically as described below, and present the **Motion of the United States Trustee to Extend Time To File Objection To Discharge Under 727 And Extend Time To Dismiss**, a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 160 817 7512, and the passcode is 623389. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

/s/ Adam G. Brief

Adam G. Brief, Assistant U.S. Trustee
Office of the United States Trustee
219 South Dearborn, Room 873
Chicago, Illinois 60604
(312) 886-2805

CERTIFICATE OF SERVICE

I, Adam Brief, Trial Attorney, certify that on July 31, 2023, I caused to be served copies of this notice, the attached motion and proposed order, on the ECF Registrants shown below via the Court's Electronic Notice for Registrants and via First Class US Mail by BMC Group on all other entities shown at the addresses listed below. A supplement to this Certificate of Service from BMC Group will be filed.

/s/ Adam Brief

SERVICE LIST

Registrants Served Through the Court's Electronic Notice For Registrants:

- **Joseph E Cohen** jcohen@cohenandkrol.com,
jcohen@ecf.AxosFS.com;jcohenattorney@gmail.com;jneiman@cohenandkrol.com;acartwright@cohenandkrol.com
- **Michelle Golden** mgolden@pagesandprice.com
- **Ilene F Goldstein** ifgcourt@aol.com, IL35@ecfcbis.com
- **Gregory J Jordan** gjordan@jz-llc.com

Parties Served via First Class Mail:

Daniel Olswang
995 Half Day Road
Highland Park, IL 60035

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**MOTION OF THE UNITED STATES TRUSTEE FOR AN EXTENSION OF
TIME TO OBJECT TO DISCHARGE OR TO FILE MOTION TO DISMISS**

Patrick S. Layng, the United States Trustee for the Northern District of Illinois (the “U.S. Trustee”), by and through his attorney, Adam Brief, hereby requests the court, pursuant to 11 U.S.C. § 727(c)(1) and Fed. R. Bankr. P. 4004(b), to grant an extension of time to object to the discharge of Daniel Olswang (the “Debtor”), and to file a motion dismiss the Debtor’s case for abuse pursuant to 11 U.S.C. § 707(b) and Fed. R. Bankr. P. 1017(e)(1). In support of this request, the U.S. Trustee respectfully states as follows:

1. This is a core proceeding concerning the administration of this estate pursuant to 28 U.S.C. § 157(b)(2)(A) which this Court may hear and determine pursuant to IOP 15(a) and Local Rule 40.3.1 of the United States District Court for the Northern District of Illinois.

2. On April 25, 2023, the Debtor filed his voluntary petition for relief under Chapter 7 of the Bankruptcy Code. Joseph Cohen was appointed to be the Chapter 7 Trustee in the Debtor’s case. On July 29, 2023, Joseph Cohen filed a letter of resignation from the case, and Ilene Goldstein was appointed as his successor.

3. The last date to object to the Debtor’s discharge or to file a motion to dismiss his case under § 707 is currently set for August 1, 2023.

4. Schedule E/F lists \$10,285,269.02 in unsecured nonpriority debt. According to Schedule A/B, the Debtor has a total of \$31,500 in personal property.

5. According to Schedule I, the Debtor earns \$7,250 per month. According to Schedule J, the Debtor has monthly expenses that total \$9,232.

6. The U.S. Trustee requests additional time to investigate and determine whether there may be a basis to object to the Debtor's discharge pursuant to 11 U.S.C. § 727(a) or to file a motion to dismiss the Debtor's case pursuant to 11 U.S.C. § 707.

WHEREFORE, the U.S. Trustee requests this Court to extend the date to object to the Debtor's discharge pursuant to 11 U.S.C. § 727(a) and for filing a motion to dismiss the Debtor's case under § 707(b) to and including November 1, 2023, and for such other relief as this Court deems just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: July 31, 2023

By: /s/ Adam G. Brief
Adam G. Brief, Assistant U.S. Trustee
Office of the United States Trustee
219 South Dearborn, Room 873
Chicago, Illinois 60604
(312) 886-2805